

W2
gms96
23773
MEDICAL CENTER
PREVENTIVE MEDICAL DIVISION, S. G. O.

RECEIVED
FEB 24 1948
U.S. DEPT. OF JUSTICE
CHILD WELFARE DIVISION

TB-PH-WEL 11

THE CHILD WELFARE LAW

PUBLIC HEALTH AND WELFARE TECHNICAL BULLETIN

PH&W GHQ SCAP APO-500 February 1948

1. General Background

a. The Child Welfare Law, passed by the Diet 21 November 1947, became effective, in part, on 1 January 1948 and will become wholly effective, 1 April 1948 (Article 63). The law supersedes and repeals the "Law for Prevention of Cruelty to Children" and the "Juvenile Training and Education Law". (Articles 65, 66, 67, 68).

b. Generally, the Japanese hold to the theory that a child under 14 years of age cannot commit a crime, and that the child is disgraced if it is necessary for him to appear before a court. This concept accounts for the placement of children, particularly for those under 14 years of age, in institutions for juvenile training and education (Kyogo-in) by agencies or individuals rather than through court action. This philosophy also is based on the theory that treatment of delinquency should be corrective in nature rather than punitive. Lack of training personnel, training facilities, literature, and supervision over institutions by qualified persons has often defeated this progressive attitude.

c. Social workers in Japan realize that the relaxed attitude of the Japanese family throughout the war years coupled with the fact that there are now a great number of children from broken families has increased the delinquency problem measurably. Institutions have retrogressed because of lack of trained personnel, lack of funds for upkeep of facilities and equipment since 1938, and inability to repair war damaged institutions.

d. Community Chest funds for private institutions, more national funds for public institutions, and an increase in training opportunities for social workers as well as an increase in interest in social work as a profession will help to overcome these difficulties.

e. It should be noted that the Child Welfare Law is only one of several affecting children. Education laws, labor laws, and the new Juvenile Court Law, yet to be written, are expected to have considerable influence on the care of children in Japan.

2. Central and Prefectural Child Welfare Boards.

A continuing interest in child welfare programs is best guaranteed by actual participation of the community in the program. Articles 8, 9 and 10 of the new Child Welfare Law provide for National (Central) and Prefectural Child

NLN

Welfare Boards of 45 and 20 members respectively, the members to be chosen from public officials, persons now in children's health or welfare services, and those who have knowledge of and experience in work with children.

Interest of welfare officers in the appointment of prefectural Board members and in the successful inauguration of its work by the Board will insure a successful program.

Ministerial instructions to the prefectures will point out that existing child welfare committees or outstanding members will be incorporated into the Child Welfare Boards, and that community committees may be continued as sub-committees.

Membership is honorary and is for a two year term, excepting for public officials, who may not exceed 25% of the total membership.

The chairman is to be elected by the Board and meetings are to be called by the governor or at the request of 25% of the membership.

Duties and activities of the Board shall be:

- a. For the purpose of investigating and discussing the welfare of children and of expectant and nursing mothers:
- b. Answering the inquiry of governors or making recommendations to the governors or the administrative officers concerned:
- c. To request information of administrative offices by way of special reports personal explanations, etc:
- d. To determine if licenses shall be removed from agencies who do not meet prescribed minimum standards:
- e. To determine need for homes for Juvenile Training and Education (Kyogo-in).
- f. To review requests for certification of persons who desire to offer their homes as foster homes.

Governors are responsible for appointment of board members and they are authorized to appoint managers and clerks who will manage the Boards under the direction of the chairman.

Evaluation of existing committees of similar type by Western standards leaves much to be desired in way of independent thought and action. When government officials are members of the committee they are prone to assume full direction, and, in fact, are urged to do so by the average Japanese committee member. The usual result, unless the Board members are persons of independent mind and of sufficient community stature, is that the committee will not criticize any actions which the "official" group may desire to perform. Conversely when officials are not members, the committees tend to disintegrate for lack of direction. Child Welfare Boards should be encouraged to have as members such men as newspaper publishers, industrialists, professional

persons, labor leaders and others of like stature who will take an active interest in the program and will be in a position to criticize official activities or inactivity when such criticism seems justified.

3. Child Welfare Officials (Articles 11, 13, 14, 29, 62, 64)

a. Qualifications.

The inauguration of child welfare officials (Jido Fukushi-shi) represents the first time in Japanese history that community social workers have been hired by the government. Their duties are to "work for the promotion of welfare of the children and expectant and nursing mothers, acting as their councillors for their care, health and general welfare".

Child welfare officials shall be qualified as second class officials, either clerical or technical and shall fall under any of the following qualifications:

(1) One who has been engaged in child care, health or welfare services not less than two years:

(2) One who has a degree of "Gakushi" from a department of a university specializing in either psychology, pedagogy, sociology:

(3) Physician

(4) One who has graduated from a training school or a training facility for child welfare officials or workers for child welfare agencies designated by the Ministry of Welfare:

(5) Other persons whom the Minister of Welfare deems qualified as a child welfare official.

Instructions to prefectures state that child welfare officials should be persons of practical ability, skilled as case-workers, and be of mature character. Records of applicants, along with recommendation of the governor shall be submitted to the Ministry of Welfare for approval.

b. Duties.

The total number, while admittedly insufficient, represents an important first step. The successful operation of these officials and their acceptance by the community may affect future numerical increase as well as the use of paid officials in other welfare programs (see Incl. #1, "Placement Chart").

Governors are cautioned that the officials shall be located in areas which have demonstrated special need for their services, and that they are not to be used as clerical workers unless specifically hired for that purpose. Generally, the officials are to work with the Child Welfare Center, district, city, town or village offices, however, they are prefectural officials (see Incl #2). More specifically, their duties are prescribed as follows:

(1) To study and be well acquainted with the conditions of children and expectant mothers in his district:

(2) To know the resources of the community and to be able to give consultant services on individual child welfare problems.

(3) To discover, through referrals by Minsei-iin and through their own initiative, individual children and families in need of consultation services during early stages of child misbehavior or delinquency.

(4) To maintain good and effective liaison with other governmental officials to assure cooperation in his work.

(5) To cooperate closely with Child Welfare Centers and children's institutions and assist them with advice and consultation.

(6) To keep good records which are readily available.

4. Child Welfare Workers (Articles 12, 13, 14, 29, 62, 64)

The term "Child Welfare Worker (Jido-iin)" is used in the Child Welfare Law to designate volunteer, unpaid welfare workers who have definite responsibilities under the provisions of the law. In order to avoid establishing a second group of volunteer workers, the law provides that the duties of the child welfare workers will be assumed by the Minsei-iin. The term, Child Welfare Worker, is, therefore, used to designate Minsei-iin. According to Article 64 the term of office of all Minsei-iin ends 31 March 1948 and reappointments will be based on experience, education, or interest in children's work. Child Welfare Workers will cooperate with Child Welfare Officials in the execution of their duties. This article is the only major change proposed by the Diet Welfare Committee and was based on a desire to increase the efficiency of the Minsei-iin.

5. Child Welfare Center or Station (Jido-Sodan-sho).

The Child Welfare Center is seen by the Japanese as the hub of all child welfare work in the prefecture. At present there are Centers in the larger prefectures only. According to the law the purpose of the Center is to "promote the welfare of children through consultation and for study - social, mental, psychological and physical - of their capacities". It is hoped that the Centers will eventually be staffed with doctors, psychologists, psychiatrists and social workers as needed and that services will be available to the general public, schools, and juvenile courts. The Centers may have facilities for temporary sheltering of the children when necessary. Those now operating are being used for medical and psychological examinations and for holding pickup children for quarantine periods previous to placement (Articles 15, 16, 17, 18).

Previous to the establishment of a Child Welfare Center (station) governors are requested to submit area and building plans and proposed personnel and budgetary requirements to the Ministry of Welfare for approval.

Governors may plan for more than one center in the prefecture, however, one station shall be designated as the Central Child Welfare Center. The head

of the Central Center may order the heads of other centers in the prefecture to submit reports as required. Areas of responsibility are to be designated by the governor.

Heads of Child Welfare Centers may request Child Welfare officials or workers to make necessary investigations and shall make available to those workers all information regarding the child or its family contained on file.

When, upon the advice of a Child Welfare Center, a child is to be placed in an institution or a foster family, the center is required to furnish all available information to the head of the institution or family concerned.

Heads of institutions or families are required to report any deaths which occur or other changes effecting the child, to the center concerned. Institutional or foster home care may be terminated or suspended at the request of family or institutional heads with approval of the head of the Child Welfare Center.

6. Maternal and Child Health Program (Articles 19, 20, 21, 22, 23).

This program, while it is the function of the Children's Bureau of the Ministry of Welfare through its Maternal and Child Health Section, is primarily a health and health education program. In the prefectures the personnel will be in the Department of Health (Eisei-bu) and will operate through that Department and through Health Centers and private physicians, midwives, nurses, etc. It is to be noted that the school health program remains a function of the Ministry of Education.

The law provides a wide, general framework for maternal and child health programs under which the Bureau is now attempting to inaugurate a specific plan.

While some restrictions are being placed on the program for the present, the following items will probably be included:

- a. A modified Maternal and Child Health Handbook for medical record
- b. A plan for location of and treatment of physically handicapped and weak children.
- c. Free pre-natal, delivery and post-partum care in hospitals - under certain conditions.
- d. Free or partially free venereal disease treatment under certain conditions.
- e. Physical examinations for children of pre-school age with particular emphasis on those under one year of age.
- f. Training courses, lectures, and written material for doctors, midwives, nurses and other interested technicians as well as for the general public.

g. Education regarding infant and maternal mortality and a drive to increase pre-natal examinations as well as to teach better delivery and post-partum care methods.

h. Prevention of childhood diseases through education and preventive medicine.

7. Provisions for Protection of Children (Articles 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 59, 60, 61, 62)

a. In an attempt to emphasize public responsibility for children the law points out that "any person who has discovered a child without a guardian or with an inadequate guardian shall report the child to the Child Welfare Center, the Child Welfare officials or to the Juvenile Court". The head of the Center records social and medical information as required, and depending on the circumstances involved may:

(1) Give admonition to the child or the child's guardian or request them to submit a written oath or pledge.

(2) Provide the child or his guardian with the guidance and service of child welfare officials or child welfare workers.

(3) Place the child in a foster home or an institution.

(4) Refer the child to the Juvenile Court.

The law provides that court action shall be used to remove children from abusive or neglectful parents or guardians when such parents object to release of the children. Properly certified child welfare officials are authorized to enter premises in order to carry out investigations when the necessity is indicated.

b. The following acts are specifically prohibited:

(1) Making a show of deformed or crippled children.

(2) To let children beg or to beg by means of a child.

(3) To allow children under fifteen years of age to do acrobatic feats or circus riding for a public show.

(4) To allow children under fifteen years of age to sing, play, or do other performances from house to house, on the street or similar places as a public show.

(5) To allow children under fifteen to act as waiters where liquors are served.

(6) To allow children to practice obscene acts. This article prohibits the use of girls under the age of 18 as prostitutes.

(7) To transfer the custody of a child to a person who may violate the foregoing prohibited acts or other laws regarding children.

Article 34 also prohibits exploitation of children in institutions and provides that minimum standards as well as Labor Laws and Ordinances shall be respected. Items 3, 4 and 5 do not apply to children over 14 years of age who have completed compulsory education or its equivalent.

Employees of Child Welfare Centers who reveal personal information regarding clients without due reason shall be imprisoned up to 6 months or fined not more than 3,000 yen. Persons refusing information, interfering with, or avoiding the execution of duties of the child welfare workers or public officials concerned with child welfare work or who refuse to answer questions, make a false statement, or cause a child not to answer or to answer falsely, shall be fined up to 5,000 yen.

8. Child Welfare Agencies (Articles 35, 36, 37, 38, 39, 40, 41, 42, 43, 44).

a. Those persons wishing to establish a private agency falling under the jurisdiction of the Child Welfare Law (agencies listed below) shall apply for approval to the prefectural governor concerned. Applications shall include the following information:

- (1) Name, Kind of agency and location.
- (2) Grounds and building plans and equipment list.
- (3) Method of operation.
- (4) Budget of income and expenditures.
- (5) Proposed initial date of operation.
- (6) History and economic status of those who wish to establish such an agency.
- (7) Articles of incorporation, rules of the foundation juridical person and other regulations of an association or legal body.

b. Applications to the governor to permit termination of an agency shall include:

- (1) Reasons for termination.
- (2) Disposition of the inmates.
- (3) Disposition of the property.

c. The following agencies are those included under the Child Welfare Law:

(1) Josan-Shisetsu (Maternity Home or Hospital) is the agency which renders free maternity services.

(2) Nyuji-in (Infant's Home) is the agency for children under two years of age whose mothers are deceased, ill and unable to provide proper care, or who for any other reason are unable to provide care.

(3) Boshi-ryo (Mother's and Children's Home) is the agency which provides care for widows with dependent children or women in equivalent circumstances and their dependent children.

(4) Hoikujo (Day Nursery) is an agency offering day-care for infants and pre-school children.

(5) Jido-Kosei-Shisetsu (Children's Recreational Agency) are children's playgrounds or similar recreational centers.

(6) Yogo-Shisetsu (Orphanage or Dependent Child's Institution) is an agency offering full time care to orphans and other needing such care.

(7) Seishin-Hakujakuji-Shisetsu (Home for Feeble minded children) is the agency for the care and training of the feeble minded child.

(8) Ryoiku-Shisetsu (Home for Physically handicapped children) are agencies for physically weak children or for the vocational guidance and therapeutic treatment of the physically handicapped.

(9) Kyogo-in (Home for juvenile training and education) is the home for children under 14 years of age (upon entering) who are delinquent or predelinquent.

Certain matching funds are available to governmental bodies who may wish to build these institutions, however, the prefectural administrative office must give prior approval.

At the request of the Child Welfare Board, cities, towns and villages may be ordered by the governor to establish such agencies.

9. Minimum Standards (Articles 45, 46, 58)

The Ministry of Welfare is authorized, with the assistance of the Central Child Welfare Board, to establish minimum standards for the equipment and operation of all children's institutions. Heads of such agencies may be requested to submit reports and public officials concerned with child welfare work may investigate such agencies to ascertain that minimum requirements are being maintained. The administrative office, after referral to the Child Welfare Board, may order compliance or may close institutions which do not comply.

10. Appeal provision (Article 59)

Any person who is dissatisfied with a decision made by the Minister of Welfare, governors, or heads of cities, towns and villages or heads of Child Welfare Centers (stations) may appeal to the administrative office concerned.

11. Recovery of expenses (Article 55)

Certain expenses incurred by the government for the care of individuals is recoverable from persons able to pay for such services.

12. Institutional Educational Requirements (Article 48)

The article generally provides for compliance with compulsory education laws.

13. The law provides that "training schools" for employees or others may be established in connection with any institution with the approval of the Minister of Welfare.

14. Nursery teachers and those desiring certification as such will be required to meet one of the following qualifications to be eligible for examination and certification: Graduation from a high school under the School Education Law; three years experience in a child care institution; other experience or education deemed adequate by the Ministry of Welfare.

Those who qualify will be examined before a "Board of Examination of Nursery Teachers" to be established in each prefecture. The examination shall be based on the following subjects: General Social Work, Child Psychology, Principles of Health, Hygiene and Physiology, Theory and practice of Nursing, Theory and Practice of Nutrition, Theory of Child Care, Practice of nursery.

15. Ratio of expenses as between city, town, village, prefecture and central government is shown on Inclosure #3.

Note: This Bulletin has been prepared from material in officially approved copies of the Cabinet Ordinance, Ministerial Regulations and orders as yet unnumbered and unpublished, as well as from the Child Welfare Law.

DISTRIBUTION OF CHILD WELFARE OFFICIALS

Name of Prefecture	Number of Child Welfare Officials	Name of Prefecture	Number of Child Welfare Officials
Hokkaido	17	Kyoto	16
Aomori	3	Osaka	34
Iwate	3	Hyogo	19
Miyagi	5	Nara	3
Akita	3	Wakayama	4
Yamagata	4	Tottori	3
Fukushima	4	Shimane	3
Ibaraki	3	Okayama	4
Tochigi	4	Hiroshima	9
Gumma	4	Yamaguchi	10
Saitama	6	Tokushima	3
Chiba	7	Kagawa	3
Tokyo	50	Ehime	6
Kanagawa	23	Kochi	3
Niigata	6	Fukuoka	19
Toyama	4	Saga	3
Ishikawa	5	Nagasaki	7
Fukui	3	Kumamoto	6
Yamanashi	3	Oita	5
Nagano	6	Miyazaki	3
Gifu	4	Kagoshima	4
Shizuoka	9	Aichi	20
Mie	7	Shiga	3
Incl #1		Total	373

Medical Bureaus
Ministry of Welfare

Matters pertaining
to Child Health

Children's Bureau
Ministry of Welfare

Pref. Dept. of Health

Pref. Dept. of Welfare

Maternal - Child
Health Section

Matters pertaining
to Child Health

Children's
Section

Social
Affairs
Section

Public Health Centers
Maternal and
Child Health Services

Child Welfare
Center

Child Welfare
Officials

City-Town
Village or
Ward Office

Workers-
Minsei-iin

Officials of child welfare centers and child welfare officials are prefectural employees responsible to the Children's Section in the prefectures, child welfare officials are to cooperate in every way with Child Welfare Centers, city-town-village or ward offices, and with Minsei-iin. City-town-village-ward offices and Minsei-iin are responsible to the Children's Section only in matters concerning Child Welfare.



RATIO OF EXPENSES FOR ENFORCEMENT OF THE CHILD WELFARE LAW

Bodies which Establish or maintain	Item of Expense and Remarks	Ordinary Expense		Extra-ordinary Expense	
		Bodies which bear the expense		Bodies which bear the Expense	
		Nation	Prefecture Cities	Nation	Prefecture Cities, towns
		Towns, Villages	Villages		
Established by Metropolitan Hokkaido and Prefectures	1. Local Child Welfare Board	$\frac{1}{2}$	$\frac{1}{2}$		$\frac{1}{2}$
Prefectures	2. Child Welfare Officials & Child Welfare Workers	$\frac{1}{2}$	$\frac{1}{2}$		
Prefectures	3. Child Welfare Centers (Sta)	8/10	2/10		
Prefectures	4. Expenses received for Health Guidance for Expectant and nursing mothers & the Guardians of infants & pre-school children for those unable to pay for such services	8/10	2/10		
Prefectures	5. Maternal & Child Handbook	$\frac{1}{2}$	$\frac{1}{2}$		
Prefectures	6. For the Care of those in lying-in agencies, mother's homes & Day Nurseries, established by Metropolitan, Hokkaido & Prefectures.	8/10	1/10	1/10	
Prefectures	7. Institutional Care or Foster Home Care	8/10	1/10	1/10	
Prefectures	8. Temporary Care of Children		1/10	1/10	
Prefectures	9. For those in Mothers' Homes Day Nurseries & Homes for Physically Handicapped (delicate children) who are mainly not in need of public aid				
Prefectures	10. For other agencies (Exclusive of Infant Homes & Children's Recreational Agencies for those not in need of Public Aid)	8/10	1/10	1/10	1/3
Prefectures	11. For Training Agencies for Personnel	$\frac{1}{2}$	$\frac{1}{2}$		$\frac{1}{2}$
Prefectures	12. For costs of Care of Mothers' Homes & Day Nurseries for those unable to pay	8/10	1/10	1/10	$\frac{1}{2}$

RATIO OF EXPENSES IN ENFORCEMENT OF THE CHILD WELFARE LAW

Bodies which Establish or Maintain	Item of Expense and Remarks	Ordinary Expenditure		Extra-ordinary Expenditure	
		Bodies which Bear the Expense	Bodies which bear the Expense	Nation Prefecture, Cities Villages	Nation Prefecture, Cities Villages
Established by Cities Towns and Villages	13. For those in Mother's Homes, Day Nurseries and Homes for Physically Handicapped Children who are Mainly not in need of Public Aid			1/3	1/3
Established by Cities Towns and Villages	14. For other Agencies lying-in Agencies, Mother's Homes, Day Nurseries or others.	8/10	1/10	1/10	1/3
Established by Cities Towns and Villages	15. For Training Agencies for Personnel	$\frac{1}{2}$	$\frac{1}{4}$	$\frac{1}{4}$	$\frac{1}{4}$
Established by Cities Towns and Villages	16. For care in lying-in Agencies Mother's Homes, and Day Nurseries	8/10	1/10	1/10	
Established by Bodies other than the above	17. For care in other Agencies (exclusive of Infant's Homes and Children's Recreational Agencies for those mainly not in need of Public Aid	8/10	1/10	1/10	

CHILD WELFARE LAW
(Jido Fukushi-ho)

CHAPTER I. General Provisions

Art. 1. It is the duty of all citizens of the Nation to have children born and grown up with healthy mind and body. Every child shall have equal opportunity for security of life and loving care.

Art. 2. The Nation and the local public bodies are responsible as well as guardians of children for their healthy growth.

Art. 3. The preceding two Articles point out the principle to insure the welfare of children which should be always borne in mind in enacting all laws relating to children.

Part I. Definitions

Art. 4. The term "child" in this law means the child under eighteen years of age; the subdivision of the child is as follows: (1) "Infant" -- child under one year old; (2) "Preschool child" -- child from one year to the entrance in primary school; (3) "Minor" -- child above primary school age and under eighteen years of age.

Art. 5. The term "expectant or nursing mother" in this law means a woman who is pregnant or who has not passed one year after delivery.

Art. 6. The term "guardian in this law means the person who has actual custody of the child including "the holder of parental right". The term "the holder of parental right" in this law means the parent or legal guardian in case there is no parent.

Art. 7. The term "Jido-fukushi Shisetsu" (child welfare agency) in this law includes Josen Shisetsu (lying-in agency), Nyuji-in (infant home), Boshi-ryo (mothers' home), Hoikujo (day nursery), Jido Kosei Shisetsu (Children's recreational agency), Yogo Shisetsu (home for dependent, neglected and abused children), Ryoiku Shisetsu (home for physically handicapped children) and Kyogo-in (home for juvenile training and education).

Part II. Child Welfare Board

Art. 8. For the purpose of investigating and discussing the problems of welfare of children and expectant and nursing mothers, central and local Child Welfare Boards are to be established.

A local Child Welfare Board is to be established in Tokyo Metropolis, Hokkaido and in every local and urban prefecture.

The Central Child Welfare Board is under the jurisdiction of the Minister of Welfare and the local Child Welfare Board under that of the prefecture Governor. The Central Child Welfare Board shall answer the inquiry of the Minister of Welfare to make recommendations to the Ministers concerned about child welfare.

The local Child Welfare Board shall answer the inquiry of the governors of the prefectures or make recommendations to the administrative officers concerned.

The Child Welfare Board may ask the administrative office concerned for the presence and explanation by competent officials and presentation of documents when there is special need.

Art. 9. The Central Child Welfare Board consists of not more than forty five persons and the local Child Welfare Board not more than twenty persons. Temporary board members may be appointed for studying special problems when necessary.

The Minister of Welfare and the governors of the prefectures shall appoint members and temporary members of the central or local Child Welfare Board respectively from public officials concerned, those who are engaged in child care, child health and welfare services and those who have knowledge of and experience in work with children. There will be a chairman for each Child Welfare Board selected by vote of the members.

Art. 10. Further rules and regulations regarding the tenure of office of members of the Child Welfare Board, duties of the chairman of the Board and operation of the Board, etc. will be prescribed in the Order:

Part III. Child Welfare Official and Child Welfare Worker

Art. 11. Child Welfare Officials are to be appointed in Metropolis, Hokkaido and each of the prefectures.

Child welfare officials are to work for the promotion of welfare of children and expectant and nursing mothers giving advice and counsel for their care, health and general welfare.

The child welfare official executes his duties described in the preceding Paragraph in the district assigned by the governor of the prefecture.

The status of the child welfare official is that of a prefecture official either clerical or professional; he shall be appointed from among those experienced in or have education in welfare work such as child care and health of children and expectant and nursing mothers.

Art. 12. Child welfare workers shall be assigned to areas of cities, towns and villages (including special ward, the same hereinafter).

Child welfare workers shall cooperate with child welfare officials concerning the execution of their duties.

Minsei-iin appointed under the Minsei-iin ordinance are to assume the duties of the child welfare workers.

Child welfare workers are to work under the direction and supervision of the governors of the prefectures.

Art. 13. The heads of cities (including the head of special wards, the same hereinafter), towns and villages may give child welfare officials and child welfare workers their opinions in regard to matters prescribed in Art. 11, Paragraph 2.

Art. 14. Further rules and regulations regarding the qualification, and status of child welfare officials and necessary matters concerning child welfare officials and child welfare workers, will be prescribed in the Order.

Part IV. Child Welfare Center

Art. 15. Metropolis, Hokkaido and the prefectures shall establish Child Welfare Centers. The purpose of the Child Welfare Center is to promote the welfare of children through consultation and determining the child's capacity.

Art. 16. The Child Welfare Center shall be staffed with a director and staff officials. The status of the director and staff officials is that of the prefectural official either clerical or professional. The director manages the Center under the supervision of the prefecture governor. Staff officials are responsible for consultation and determination, provided for by the preceding Article, under supervision of the director. The Child Welfare Center may employ necessary workers besides those authorized previously.

Art. 17. Child Welfare Center shall provide facilities for temporary shelter of children when necessary.

Art. 18. Further rules and regulations regarding the area to be covered by the Child Welfare Center and other necessary matters concerning the Child Welfare Center will be prescribed by Order.

CHAPTER II. Welfare Program and Security

Art. 19. Prefecture governors shall encourage expectant and nursing mothers or the guardians of infants and preschool children to receive health guidance from health centers, physicians, midwives or public health nurses for maternal and child health.

Expectant and nursing mothers and guardians of infants and preschool children shall receive health guidance by health centers, physicians, midwives or public health nurses for maternity and children's health.

The prefecture governors may give health examinations of infants and preschool children.

The prefecture governors shall make arrangement for payment, according to the Order, for expenses for health guidance of expectant and nursing mothers and guardians of infants and preschool children who are not able to pay.

Art. 20. The woman who has conceived shall report her pregnancy as soon as possible to the head of the city, town or village with a diagnosis paper of pregnancy from the physician or midwife.

The diagnosis paper however is not necessary if there is any adequate reason as the absence of a physician or a midwife within a reasonable distance.

Art. 21. The prefecture governors shall, in accordance with the Order, issue a Maternal-&-Child Handbook for each expectant mother who has reported her pregnancy under the preceding Article.

When expectant and nursing mothers receive such health guidance from health centers, physicians, midwives or public health nurses, the necessary remarks shall be entered in the Maternal-&-Child Handbook. This provision applies when guardians of infants and preschool children receive health guidance from health centers, physicians, midwives or public health nurses for the health of their infants and preschool children.

Further rules and regulations regarding the Maternal-&-Child Handbook are to be prescribed by Order.

Art. 22. The heads of city, town and village shall admit indigent expectant mothers to the lying-in agency for delivery when it is necessary for their health. This provision does not apply in case it cannot be carried out for any adequate reason such as the absence of a lying-in agency within a reasonable distance.

Art. 23. The head of the city, town and village shall admit to the mothers' home and give protection to widowed women or women under similar circumstances and their children when they deem the welfare of such children is endangered. The provision does not apply in case it cannot be carried out for any adequate reason such as the absence of the mothers' home within a reasonable distance.

Art. 24. The head of city, town or village shall admit infants and preschool children to day nurseries for care whose guardians are considered not able to give them adequate care due to their work or other reasons such as illness. This provision does not apply in case it cannot be carried out for any adequate reason such as the absence of a day nursery within a reasonable distance.

Art. 25. Any person who has discovered a child without a guardian or with an inadequate guardian shall report the child to the Child Welfare Center or its officers. Provided, children who come under the protective measures of the juvenile court are outside the scope of this provision.

Art. 26. The head of the Child Welfare Center shall take up any of the following procedures for such children reported under the provisions of the preceding Article when it is deemed necessary: (The same procedure applies when children come or are brought to the center for consultation.)

- (1) Children who fall under Art. 27 shall be reported to the governor of the prefecture;
- (2) Provide the child or his guardian with the guidance and services of the child welfare official or the child welfare workers.

The report required by the preceding Paragraph, Item (1), shall contain the child's name, address, age, history, behavior, health conditions, and other facts helpful for understanding the child.

Art. 27. The prefecture governor shall follow any of the following procedures for the child reported as provided under the preceding Article, Paragraph 1, Item 1, in accordance with the Order.

- (1) Give the child or the child's guardian admonition or let them submit a written oath;
- (2) Provide the child or his guardian with the guidance and services of the child welfare official or child welfare worker;
- (3) Place the child under the care of a foster parent (the individual who wishes to bring up a child deprived of proper parental care by reason of absence or inadequacy of the guardian and whom the prefecture governor has approved, the same hereinafter) or infant home, home for dependent children, home for physically handicapped children, or home for juvenile training and education (Kyogo-in).

The procedure of the preceding Paragraph, Item 3, shall not be carried out without the consent of the holder of parental right over the child.

Art. 28. The prefecture governor may take any of the following procedures in case the guardian so abuses the child or is so neglectful as to violate the penal laws or the danger of same may be indicated and the holder of parental right over the child objects to the procedure of the preceding Article, Paragraph 1 Item (3);

- (1) Taking the procedure of the preceding Article, Paragraph 1, Item 3, with the approval of the Court of Domestic Relations in case such guardian is the holder of parental right over the child;

- (2) In case the guardian is not the holder of legal parental right over the child, the child shall be returned to the holder of parental right. Provided, if such transfer is deemed to be against the welfare of the child the procedure of the preceding Article, Paragraph 1, Item 3, shall be taken with approval of the Court of Domestic Relations.

The approval in the preceding Paragraph, in the application of Domestic Relation Court Law, is considered to belong to A group of Art. 9, Paragraph 1 of the same law.

Art. 29. The prefecture governor may order child welfare workers or public officials concerned with child welfare work to enter the place where the child is, his residence or the premise where children are engaged in work and make necessary investigations or ask questions. Such public officials shall carry a certificate to show their official capacity.

Art. 30. The prefecture governor may ask foster parents to submit necessary reports about children placed under their care.

Art. 31. The Minister of Welfare or the prefecture governor may extend up to twenty years of age the care of the child in the home for feeble-minded children, the home for physically handicapped children or the home for juvenile training and education under the provision of Art. 27, Paragraph 1, Item 3, provided that the Child Welfare Center reviews such case individually and determines the need for such action.

Art. 32. The prefecture governor may vest the head of Child Welfare Center with the whole or a part of the power to take the procedures provided under Art. 27, Paragraph 1.

Art. 33. The head of the Child Welfare Center may place such child pending decision as to disposition provided under Art. 26, Paragraph 1, under the protection of a temporary shelter or consign the child to a suitable individual for temporary care when he deems it necessary.

The prefecture governor may, when he deems it necessary, place such child under the temporary care of the head of the Child Welfare Center or let him place the child under the care of a suitable individual until any of the procedures provided under Art. 27, Paragraph 1 is taken.

Further rules and regulations regarding temporary shelter are to be prescribed by Order.

Art. 34. The following actions are prohibited;

- (1) To make a show of deformed or crippled children;
- (2) To allow children to beg or to beg by means of a child;
- (3) To allow children under fifteen years to act in acrobatic feats and circus riding for public show;

- (4) To allow children under fifteen years to sing, play or make other performances from house to house, on the street or similar places with the purpose of public show;
- (5) To allow children under fifteen years of age to engage in occupations where liquors are served;
- (6) To allow children to practice an obscene act.
- (7) To transfer custody of the child to a person who is in danger of practicing any of the actions described in the preceding items or in danger of violating any of the penal laws about the child with the knowledge of such facts, or to transfer it to another person with the knowledge of forgoing dangers involved.

In Yogo-Shisetsu (home for dependant children), Seishin Hakujuji-Shisetsu (home for feeble-minded children), Ryoiku-Shisetsu (home for physically handicapped children), and Kyogo-in (home for juvenile training and education), beyond the scope of the object prescribed by Art. 41, 42, 43 and 44 respectively the children shall not be exploited.

Such protection defined in the preceding Paragraph shall be afforded by the minimum standards as provided in Art. 45 with due respect for the spirit and provisions of the Labor Laws and Ordinance affecting children.

CHAPTER III. Child Welfare Agencies

Art. 35. The Nation, Metropolis, Hokkaido and the prefectures shall establish Child Welfare Agencies according to the Order. Cities, towns, villages and other persons may establish Child Welfare Agencies with the approval of the administrative office in accordance with the Order. The prefecture governor may order cities, towns and villages to establish the Child Welfare Agencies after securing the opinion of the local Child Welfare Board. Facilities to train personnel for the Child Welfare Agency may be attached to the Child Welfare Agencies.

Art. 36. Josan-Shisetsu (lying-in agency) is the agency to admit and render maternity services for expectant mothers who are in need of such services but are not able to pay.

Art. 37. Nyuji-in (infant home) is an agency to provide the infants indoor care.

Care provided under the preceding Paragraph may be extended until the infant reaches two years of age.

Art. 38. Boshi-ryo (mothers' home) is an agency to admit and give protection for widowed women or women under similar circumstances with dependent children.

Art. 39. Hoikujo (day nursery) is an agency to give daily care for the infants and the preschool children by request of their guardians.

Art. 40. Jido-kosei-shisetsu (children's recreational agencies) are agencies which provide facilities for children's healthy play for the promotion of their health and cultivation of their sentiment such as the children's playgrounds and the children's centers.

Art. 41. Yogo-shisetsu (agencies for dependent children) aim to extend protection by indoor care for those children, except infants, without guardians, maltreated, or who are deprived of adequate care.

Art. 42. Seishin-Hakujakuji-shisetsu (home for feeble-minded children) is to admit feeble-minded children for care and give them education necessary for their future self support.

Art. 43. Ryoiku-shisetsu (home for physically handicapped children) are agencies to admit physically weak children for the promotion of their health conditions in a suitable environment or the physically handicapped children to give them therapeutic treatment and vocational guidance for their future self support.

Art. 44. Kyogo-in (home for juvenile training and education) is the agency to admit and guide delinquent and predelinquent children.

Art. 45. The Minister of Welfare shall establish minimum standards for the equipment and operation of the child welfare agencies after securing to the opinion of the Central Child Welfare Board.

Art. 46. In order to maintain minimum standards under the provisions of the preceding Article the administrative office may require the heads of such agencies to submit necessary reports or send the public officials concerned with child welfare work to investigate. When such Child Welfare Agencies do not maintain minimum standards, the administrative office may order the agencies to correct it or terminate their services after securing the opinion of the Child Welfare Board.

Art. 47. Superintendents of Child Welfare Agencies may assume the parental right over children in their charge when it is necessary. They do not, however, exercise it over the supervision of properties which belong to such children when there are parents for these children.

Art. 48. The education of children in homes for dependent, feeble-minded and physically handicapped children who fall under the provision of the School Education Law, Art. 22 or 39, will be given in accordance with the provision of the School Education Law.

The superintendent of the home for juvenile training and education shall regard those children under his care who completed the course of primary or middle school under the provision of School Education Law as graduated from primary or middle school.

Matters relating to the curricula of schools described in the preceding Paragraph shall be approved by the supervisory board under the provision of School Education Law, Art. 20 or 38.

Matters related to the curricula in the homes for juvenile training and education which are approved under the provision of the preceding Paragraph are to be supervised by the Minister of Education (with the homes for juvenile training and education established by those other than the Nation. They are supervised by the supervisory office of the prefecture).

Those who are acknowledged under the provision of the Paragraph 2 are regarded as graduated from the primary or middle school under the provision of School Education Law.

Art. 49. Further rules and regulations relating to the personnel for the Child Welfare Agencies and other necessary matters concerning the Child Welfare Agencies will be prescribed in the Order.

CHAPTER IV. Expenses

Art. 50. Expenses required for the following purposes shall be borne by the prefecture;

- (1) Expenses required for the Local Child Welfare Board.
- (2) Expenses required for child welfare officials and Child Welfare Workers;
- (3) Expenses required for Child Welfare Centers (exclusive of expenses required for equipment);
- (4) Expenses required for measures prescribed in Art. 19, Paragraph 4;
- (5) Expenses required for the Maternal-and-Child Handbook;
- (6) Expenses required for care of those in the lying-in agency, mothers' home or day nursery, established by the prefecture;
- (7) Expenses required for procedures provided under Art. 27 (exclusive of the expenses required for the care of children in infant homes, the homes for dependent children, homes for the feeble-minded children or homes for juvenile training and education established by the Nation);
- (8) Expenses required for temporary protection of children;
- (9) Expenses required for the equipment of Child Welfare Centers and Child Welfare Agencies, and facilities for training of personnel provided by the prefectures.

Art. 51. Expenses required for the following purposes shall be borne by cities, towns and villages;

- (1) Expenses required for the procedures provided under Art. 23 to 24 inclusive (exclusive of the expenses required for the care of individuals in lying-in agencies, mothers' home or day nursery established by the Nation, Metropolis, Hokkaido or the prefecture); and
- (2) Expenses required for equipment for Child Welfare Agencies and facilities for training of personnel provided by cities, towns and villages.

Art. 52. The National Treasury shall pay, according to the Cabinet Order, one half of the expenses required for the provisions of Art. 50, Items 1, 2, 3 and 9 and Art. 51, Item 2 (and from one half to one-third inclusive for the expenses on equipments at the mothers' home, the day-nursery and the homes for physically handicapped children in Art. 50, Item 9 and Art. 51, Item 2).

Provided, with the expenses under Art. 50, Item 9 and 51, Item 2, it does not apply to the expenses for the equipments of the infant homes other than those with the object of admitting infants for whom the fee for admission can not be charged and of the children's recreational agencies.

Art. 53. The national Treasury is to subsidize, in accordance with Cabinet Order, eight-tenths of the expenses borne by local public bodies provided under Art. 50 and 51 besides the provisions of the preceding Article.

Art. 54. The prefectures shall, in accordance with Cabinet Order, subsidize one-fourth of the expenses required for the provision of Art. 51, Item 2 (and from one-third to one-fourth inclusive for the equipments of the mothers' homes, the day nursery and the homes for physically handicapped children). Provided, it does not apply to the expenses for the equipment of infant homes other than those with the object of admitting infants for whom the fee for admission cannot be charged and of the children's recreational agencies.

Art. 55. The prefecture shall in accordance with the Cabinet Order pay one-tenth of the expenses required for the provision of Art. 51, Item 1.

Art. 56. Minister of Welfare, the governors of prefectures or the heads of cities, towns and villages shall collect, within a certain time limit, fees for expenses falling under any of the following items from those cared for or persons responsible for the care of such individuals. This provision does not apply when it is ascertained by the head of cities, towns and villages, after securing the opinion of the child welfare official or child welfare worker, that the person cared for or persons responsible for the care of such individuals are unable to meet the expenses;

(1) Expenses required for the measures provided under Art. 22, 23, 24 or Art. 27, Paragraph 1, Item 3; and

(2) Expenses required for the temporary protection.

In case of the proviso above, the city, town and village shall bear one-tenth of such expenses. Provided, it does not apply to the cases prescribed by the Order.

The collection of fees under the provision of Paragraph 1 may be entrusted to the governors of the prefectures or to the heads of cities, towns and villages of the residence or the location of property of the persons cared for or persons responsible for the care of such individuals.

When there are persons not paying within the time limit the fees to be collected under the provision of Paragraph 1, the procedure for the recovery of National taxes in arrears may be applied.

CHAPTER V. Miscellaneous Provisions

Art. 57. Metropolis, Hokkaido, Prefectures, cities, towns, villages and other public bodies shall not levy taxes or other duties on the lands and buildings for the following uses. It shall be otherwise with those on charge basis:

- (1) The buildings to be used mainly for the child welfare program;
- (2) The site of such buildings described in the preceding Item and the grounds to be used for child welfare services.

Art. 58. The administrative office may withdraw the certificate of approval from child welfare agencies established with the approval under the provision of Article 35, Paragraph 2, in case they violated the Law, the Order of the Law or the settlements derived from the Law.

The administrative office may order the child welfare agencies who have not secured approval under this Law or whose certificate of approval has been taken away under the provision of the preceding Paragraph to terminate their services after securing the opinion of the Child Welfare Boards.

Art. 59. Any person who is dissatisfied with the settlement made by the Minister of Welfare, the governors of the prefectures, or the heads of cities, town, villages and the Child Welfare Centers in accordance with the provisions of this Law and related orders, may appeal to the administrative office.

Art. 60. Any person who has violated the provision of Art. 34, Paragraph 1, Item 6 shall be imprisoned for a period not exceeding ten years or fined over 2,000 yen and not in excess of 30,000 yen.

Any person who has violated any of the provisions of Art. 34, Paragraph 1, Items from 1 to 5 and 7, and Paragraph 2 of the same Article shall be imprisoned for a period not exceeding one year or fined not in excess of 10,000 Yen.

Such person who employs the child shall not evade the punishments provided under the preceding two Paragraphs for the reason that he was not aware of the child's age. It is, however, otherwise when no error is involved on the part of such person in ascertaining the age.

Art. 61. The employees of the Child Welfare Center who made an investigation about children and have revealed without due reason confidential information secured in the course of executing their duties shall be punished by imprisonment not exceeding six months or fine not exceeding 3,000 Yen.

Art. 62. Any person, who without due reason, refuses, interferes with or avoids the execution of duties by child welfare workers or public officials concerned with child welfare work under the provision of Art. 29 or who does not answer their questions or makes a false statement or who forces the child not to answer or to make false answer, shall be fined not in excess of 5,000 Yen.

Supplementary Provisions

Art. 63. This Law shall go into effect on January 1st, 1948. It is provided, however, that the provisions of Articles 19, 22, 23, 24, Item 4, 6, 7 and 9 (exclusive of the part concerning equipment for the Child Welfare Center) of 50, 51, 54 and 55, and the parts of Articles 52, 53 and 56 concerning the above provision shall go into effect on April 1st, 1948.

Art. 64. The term of Minsei-Iin appointed under the Minsei-Iin Ordinance shall be regarded as expiring on the day after three months have passed from the day of the enforcement of the provision of Art. 12, Paragraph 3.

In selecting Minsei-Iin following the expiration of the term under the provision of the preceding Paragraph, those qualified to execute the duties under Art. 12, Paragraph 2 shall be chosen.

Art. 65. Law for Prevention of Cruelty to Children and Juvenile Training and Education Law shall be repealed. Punishment applied for the actions under the provision of these Laws before the repeal shall be continued to be valid after the repeal of these Laws.

Art. 66. All the procedures by the governors of Metropolis, Hokkaido and the prefectures under the provision of Art. 2 of Law for Prevention of Cruelty to Children shall be superseded by the corresponding provisions of this Law.

Art. 67. At the time this Law goes into effect, the existing homes for Juvenile training and education and the facilities to train personnel under the provisions of Juvenile Training and Education Law shall be regarded as those established under the provisions of this Law and the inmates of these homes are regarded as those admitted under the provision of Art. 27, Paragraph 1, Item 3.

Art. 68. At the time this Law goes into effect the existing homes for juvenile training and education whose school curricula have been approved by the Minister of Education under the provisions of Juvenile Training and Education Law, the provisory clause of Art. 24, Paragraph 1, shall be regarded to have secured the approval by the supervisory board under the provision of School Education Law, Art. 20 or 38, as provided under Art. 48, Paragraph 3 of this Law.

Art. 69. At the time this Law goes into effect the existing child welfare agencies among the welfare facilities provided under the Family Life Security Law shall be regarded as those provided by this Law.

Art. 70. At the time this Law goes into effect the existing child welfare agencies which do not fall under Art. 67 and the preceding Article may continue to exist under this Law with the approval by the administrative office according to the Order.

Art. 71. "The head of the special ward" in the Art. 22, 23, 24 and 56, Paragraph 1, shall read as "the governor of Tokyo Metropolis" in the case of the special wards of Tokyo Metropolis and the "special ward" in the Art. 51 and 56, Paragraph 2, shall read as "Tokyo Metropolis" in case of Item 1 of Art. 51 for the time being.

Art. 72. With children over fourteen years of age who completed the courses of compulsory education provided under the School Education Law, Art. 96 or courses considered as higher than its equivalent, the provision of Art. 34, Paragraph 1, Item 3 to 5 inclusive shall not apply.

431
211013

TRANSLATION OF A PAMPHLET ISSUED BY THE CHILDREN'S BUREAU TITLED

"What is Child Welfare Law?"

1. Making Children Happy.

All Japanese children should grow up to become good citizens with love and protection of their parents. But there are some children who have no parents or whose parents are unable to bring up their children because of various reasons.

It is stated in the law that all Japanese children will be brought up happily. The state will assume the parental responsibility in care of those unfortunate children.

Child Welfare Law was promulgated on 12 December 1947, and a part was enacted from 1 January 1948 and the all law was enacted on 1 April 1948.

2. Who will protect Children?

It's parents' responsibility to take care of children but who will protect orphans? What will you do if there are undesirable persons in the environment exerting bad influence on children although their parents are trying to give them proper care. The fact that social influence on children is as strong as parental influence can be proved by the cases of parents who are ignorant of their children's delinquent behaviours.

Citizens - Children belong to all citizens

All citizens of the nation must protect children, it is stated in the beginning of Child Welfare Law, "It is the duty of all citizens of the Nation to have children born and grown up with healthy mind and body." If the neighbor's children become bad, yours will become bad, too, because of their influence. In order to make your children good, you must make the neighbor's good. It is the responsibility of all citizens of the nation to make children happy.

Nation, Prefectures, Cities, Towns and Villages - public servant for children

The Law states "the Nation and the local public bodies are responsible as well as guardians of children for their healthy growth." The first responsibility in care of child rests upon parents or legal guardians. But in case of inadequate guardianship or of lack of it, it is the responsibility of nation and prefectures to provide care they need. The business affairs of Child Welfare Law are carried on chiefly by Children's Bureau, Ministry of Welfare, Children's Section of prefecture and Children's section of City, Town and Village (Sometimes by Social Affairs Section, Welfare Section). They will make plans to solve children's problems.

Child Welfare Board (Jido Fukushi Iinkai) - public opinion for children

Child Welfare Board acts as a consultant for the Government taking the public opinion into consideration in order to make children happy. They will make study of the problems of children, expectant mothers and women in confinement and also promote children's happiness. There are the Central Child Welfare Board in Ministry of Welfare and the Local Child Welfare Board in Prefectures. The members of committee consist of the officials in the related fields and others who are interested in welfare of children.

Child Welfare Officials and Child Welfare Workers - Counsultants for Children

They are concerned with any problems related to children, expectant mothers or women in confinement and will give them care and guidance. Child Welfare officials are the Payed Government Officials who specialize in children's problem working outside of the Government Office. Child Welfare Workers are Minsei-iin who have good understanding of the problems of children. Both of them are stationed in all the parts of Japan. Child Welfare Workers are in every village and town.

Child Welfare Center - Scientific Protection with Love for Child

All the problems of children are dealt here. After thorough studies of children from various angles - physical, mental, environmental, and educational, the best plans are made for them. According to the plans, they will receive care and guidance. Child Welfare Officials or Child Welfare Workers may make referral to Child Welfare Centers. Or Child Welfare Centers may be contacted directly.

Child Welfare Agencies - Happy and Cheerful Agencies for Children

Child Welfare Agencies include those for protection of Orphans, and mentally or physically handicapped children, and for providing recreations. These agencies must conform to the minimum standard given in the law and ordinance in order to have them provide children with loving care and education which are given in normal family life. Agencies which are found not functioning properly will have to be discontinued and the work of good agencies will be encouraged.

Foster Parents - Persons who bring up Children

Orphans or children with inadequate guardians may be brought up by the persons who are willing to take care of them. This expenses will be paid by the prefecture. These who wish to become foster parents send the applications to the governors and their names will be registered.

3. How to Safe-Guarã Happiness of Children

Maternal and Child Handbook-Mother's Health at first

Maternal and Child Handbook will be given to expectant mothers as soon as they report their pregnancy to the city, town or village office. This handbook

is used to protect health of mother and child - protection of mother during the pregnancy and confinement and of child from birth until he reaches the school age. The health instructions they receive from doctors, midwives, and public health nurses are recorded in the Handbook. The health guidance is given free of charge to those who cannot afford to pay for. This Handbook is needed in order to receive specially rationed articles.

Agencies for Maternity Care - Confinement at Hospitals

It is desirable to have confinement at hospitals. There are maternity hospitals for these who cannot afford private hospitals.

Infant Homes (Nyui-in)

Infant Homes take care of the babies whose parents cannot bring them up from some reasons and orphan babies.

Homes for Mothers and Children (Boshi-Ryo) - For Mothers and Children with no Fathers.

Widows with children can bring up their children living in Homes for mothers and children receiving the aid for livelihood.

Day Nurseries - Children at Day Nurseries while Mothers work.

Day nurseries take care of their children while their mothers are working or who cannot receive adequate care during the day time.

Children's Recreational Agencies - Plays for Children.

These agencies provide wholesome supervised plays which promote mental and physical growth of children. After children come home from kindergartens, day nurseries, or schools, they can spend happy hours there. Play is the mental nourishment for children. Inadequate plays are often responsible for children's delinquency.

Homes for Dependent Children (Yogo Shisetsu), Foster Parents - Taking the place of Parent.

Orphans, children without proper guardians, maltreated, forced into anti-social behaviours, or who will be happier when they are separated from their parents are brought up by foster parents or in Homes for Dependent Children.

Homes for Feeble-minded Children - Care of Mind.

Children of sub-normal mentality may be trained to be independent or made to minimize their dependency in the future by proper education developing their good points at specializing agencies.

Homes for Physically Handicapped Children (Ryoiku Shisetsu) - Care of Body

Homes for physically handicapped children include agencies for delicate children, agencies for crippled children which give them the treatment to minimize their handicaps and provide them with vocational training in order to make them independent in the future, and for the blind and the deaf and dumb which give them vocational training.

Home for Juvenile Training and Education - Society is Responsible for Bad Children

Delinquent children or those who have tendencies for becoming delinquent must be removed from their bad environment and treated at the early stage. Otherwise they will exert bad influence on the society. Homes for Juvenile Training and Education give these children tender care and education which will make them good children.

Do not have the Children Without Guardians on Street - Early Discovery

It is asked to report to a Child Welfare Center when children without guardians being abused by the guardians, or forced into anti-social behaviours are found. It may be reported to policemen, child welfare workers, or child welfare officials. These children must have proper care before they acquire deep rooted bad habits or develop unfortunate personality traits.

Consultation, Guidance - Don't put off consultation

When consultations are made concerning children, expectant mothers and women in confinement, Child Welfare Officials or Child Welfare Workers may give them guidance or refer them to child welfare centers, child welfare agencies or other proper agencies. Or the persons with the problems may go directly to Child Welfare Centers or Child Welfare Agencies. Child Welfare Workers will arrange free care for the poor who are unable to pay for hospital care or baby's care at Infant Home.

Do not Abuse Children - Bad Adult will be punished

Those who violate the law which forbid maltreatment of children are punished.

4. Let's bring up the future citizens healthy.

Japan has started reconstruction of the nation as a cultural nation. It is important to bring up the children of today healthy because they are responsible for the future development of Japan. It seems difficult to understand the meaning of the cultured nation, but it may be easily understood in terms of a happy nation for children. To make children happy is a means to establish a cultured nation and at the same time the fact that children are happy proves that the country is already cultured. Let's think about a happy peaceful home built around children. A

cultured nation must be like this. When children are neglected, even rich homes become dreary places. A nation with many delinquent children can not be called cultured nation. Since the old time there was a tendency to think children as the center of family life in Japan. The culture of a nation is determined by the fact whether or not children receive proper care. Children are the treasure of the nation. Let's bring up children happily, for establishment of cultured Japan!

What do they do at Children's Bureau?

Children are the national treasures. The future development of Japan rest on their shoulders. However, after the war due to the poverty of peoples' livelihood children became mentally and physically unhealthy. Especially there was a sudden increase in the number of war, and repatriated orphans, delinquent and vagrant children. Therefore, Children's Bureau was established on March 1947, in Ministry of Welfare in order to promote welfare of children. At present there are four sections in the Bureau - Planning Section, Foster Care Section, Child Care Section, and Maternal and Child Health Section.

Planning Section

Since the fundamental purpose of child welfare law is to make all homes happy places built around children with parental love and all child welfare agencies to be made cheerful agencies with the supports of citizens, this section is carrying on various kinds of work for promotion of children's welfare and dissemination of the idea of child welfare in order to give a better understanding of children to the citizens and to have them built their daily life around children. The business affairs of Child Welfare Board, child welfare officials, child welfare workers and child welfare centers are administered in this Section. Research and statistics concerning children, coordination and adjustment necessary for promotion of welfare of children are also carried on by this Section.

Foster Care Section

This section administers the business affairs of all Japan relating to protection of children including care and protection of orphans, vagrant and feeble-minded children, prevention of juvenile delinquency, education and protection of juvenile delinquents, prevention of cruelty to children and foster parents. It coordinates and gives guidance to the agencies for protection of children, for feeble-minded children, foster parents and homes for juvenile education and protection. Also it handles the business affairs relating the material necessary for protection of children, including the building material for establishing child welfare agency, and all the material to be used for children or for agencies.

Child Care Section

It coordinates and gives guidance to the work of day nurseries, homes for mothers and children, agencies for children's recreation, protection of foundlings

The training program of nursery teachers and establishment of the standard for nursery teachers are handled here. It is working toward higher standard for child welfare.

Maternal and Child Health Section.

This section deals with all the affairs concerning protection of health of expectant mothers and women in confinement and babies including maternal and child handbook, health instructions, special nutrients, prevention of diseases, etc., and also health problems of children in general. It coordinates and supervises infant homes, maternity agencies, and agencies for handicapped children. The work concerning prevention of still birth, premature birth and miscarriage, their statistics, and guidance and supervision of midwives belongs to this section.

Kosei Shorei No. 11

APPROVED TRANSLATION OF ENFORCEMENT

REGULATION OF CHILD WELFARE LAW

31 March 1948

Chapter I.

Child Welfare Station

Article 1. When the Child Welfare Center is planned to be established, the paper filled as the following items shall be submitted in order to secure the approval of Welfare Minister. The same applies when a change in any one of the Items a to d is to be made.

- a. Name and address;
- b. Area to be covered and its population;
- c. Scope and structure of the buildings and equipments with its map;
- d. Fixed number of its personnel;
- e. Budget of incomes and expenditures;
- f. Expected date to commence its service.

Article 2. The Governor of Metropolis, Hokkaido or the Prefecture shall designate one of the Child Welfare Center as the Central Child Welfare Center.

The Central Child Welfare Center shall give assistance to and help coordination of the Child Welfare Centers within Metropolis, Hokkaido or the given prefecture.

Article 3. The head of the Central Child Welfare Center may order the heads of other Child Welfare Centers in Metropolis, Hokkaido or the Prefecture to submit the necessary report.

Article 4. In case the area to be covered by a Child Welfare Center is to be determined, attention shall be paid to the number of children and the social circumstances in the given area.

Article 5. The head of the Child Welfare Center may ask the child welfare officials and child welfare workers of his area to make the necessary investigations.

Article 6. The child welfare officials and child welfare workers shall give the reports of the conditions and make their recommendations regarding the necessary matters for the children and expectant and nursing mothers in their areas to the mayor of the city, town, or village (inclusive of the special ward mayor as will be the same hereinafter) and the head of the Child Welfare Center of his area.

Chapter II.

Welfare Program and Security

Article 7. When one wishes to receive health guidance who is not able to meet her expense under the provision of Child Welfare Law (Law as will be called hereinafter), Article 19, Paragraph 4, she shall show the health guidance paper issued by the governor of metropolis, Hokkaido or the Prefecture to the physician or the midwife designated by the governor of Metropolis, Hokkaido or the prefecture.

Article 8. The health guidance is to be issued by the governor of Metropolis, Hokkaido or the prefecture via the mayor of the city, town, or village at the application by expectant or nursing mother, or the guardian of infant or preschool children.

The application of the preceding Paragraph shall be presented to the governor of Metropolis, Hokkaido or the prefecture via the mayor of the city, town, or village of her residence or the place she is (it is applied only when one has no establishment of residence or when it is not clear, as will be the same hereinafter), on the paper of the following form accompanied with the certificate by a child welfare official or child welfare worker certifying that the bearer falls under Law, Article 19, Paragraph 4.

- a. Name, date of birth, vocation, residence of the person who wishes to have health guidance or the place she is;
- b. Name and vocation of the guardian of the person of the preceding Item in the case he is an infant or preschool child.

Article 9. The governor of Metropolis, Hokkaido or the prefecture may order the physician, midwife or the public health nurse who gave the health guidance under Law to submit necessary reports.

Article 10. Necessary matters concerning the form of the health guidance paper and the procedures of Law, Article 19, Paragraph 4, besides those in the preceding three Articles, shall be regulated by each governor of Metropolis, Hokkaido or the prefecture.

Article 11. Issuance of Maternal-and-Child Handbook under the provision of Law, Article 21, Paragraph 1, shall be made through the mayor of the city, town, or village of residence of the pregnant woman or the place she is.

Article 12. Woman who has born two infants or more at a delivery shall have as many Maternal-and-Child Handbooks as the number of the infants.

Article 13. In case the woman who has received Maternal-and-Child Handbook should find that she is not pregnant she shall report it immediately to the mayor of the city, town or village and take the measure for returning the Maternal-and-Child Handbook to the governor of Metropolis, Hokkaido or the prefecture.

Article 14. In case the expectant or nursing mother should die, the householder or any relative of her family shall immediately report to the mayor of the city, town or village and take the measure for returning the Maternal-and-Child Handbook to the governor of Metropolis, Hokkaido or the prefecture. Provided that it does not apply in the case her infant is living.

Anyone who has not received the Maternal-and-Child Handbook should become a new guardian of an infant or preschool child shall receive the Maternal-and-Child Handbook. Provided that she shall not receive it in the case she has received the Maternal-and-Child Handbook for that infant or preschool child.

Article 15. The Maternal-and-Child Handbook may be used, according to the regulation by the governor of Metropolis, Hokkaido or the prefecture, for the special rations necessary for pregnancy, delivery or child care and for the necessary purposes for the welfare of expectant or nursing mothers, infants or preschool children.

Article 16. In the case the Maternal-and-Child Handbook was damaged, lost or its space was finished, reissuance may be applied.

Article 17. The form of the Maternal-and-Child Handbook shall be determined by Minister of Welfare separately.

Article 18. Besides the regulations of the preceding seven Articles, issuance and other necessary matters concerning the Maternal-and-Child Handbook shall be regulated by the governor of Metropolis, Hokkaido or the prefecture, or the mayor of the city, town or village.

Article 19. Anyone who wishes to enter a lying-in agency or a mothers' homes, or a guardian who wishes to have her infant or preschool children admitted to a day nursery under the provisions of Law, Articles 22 to 24 inclusive, shall apply in her person or by her guardian or a related person to the mayor of the city, town or village of her residence or the place she is with the following form.

- a. Name, date of birth and vocation of the person to be admitted and the person who applies for admission;
- b. Address of residence and the length of the residence, or the place she is;
- c. Reason for application.

The mayor of the city, town or village shall take up any of the measure of Law, Articles 22 to 24 inclusive when he deems it necessary if no application under the preceding Paragraph has been made.

Article 20. The head of Child Welfare Center shall give all the data necessary for guiding the child or his guardian to the child welfare official or child welfare worker in case the former is referred to the latter for the guidance provided by Law, Article 26, Paragraph 1, Item b.

Article 21. In the case of the preceding Article, the head of Child Welfare Center shall tell the name and address of the assigned child welfare official or child welfare worker and the assignment to the child or his guardian.

At the time the procedure of the preceding Paragraph is to be made for the child, the head of the Child Welfare Center shall ask the presence of the child's guardian. Provided that it does not apply in the case there is no guardian or it is against the child's welfare.

Article 22. The child welfare official or child welfare worker shall give his opinion to the head of the Child Welfare Center in the case he considers the procedure for the child or his guardian under his guidance by Law, Article 26, Paragraph 1, Item b, should be terminated, suspended or changed.

Article 23. The head of the Child Welfare Center may terminate or suspend the procedure of Law, Article 26, Paragraph 1, Item b and take the procedure of Item a of the same Paragraph for the child at any time.

Article 24. At the time the child or his guardian is placed under the guidance of the child welfare official or child welfare worker by the provision of Law, Article 27, Paragraph 1, Item b, the provisions of Article 20 to 23 inclusive shall be applied.

Article 25. The governor of Metropolis, Hokkaido or the prefecture shall tell the child or his guardian about the child welfare agency to which the child is to be admitted and the matter of the expense for the care of the child in the agency at the time he would take the measure to admit the child to a child welfare agency under the provision of Law, Article 27, Paragraph 1, Item c.

The provision of Article 21, Paragraph 2 shall be applied with the case of the preceding Paragraph.

Article 26. The governor of Metropolis, Hokkaido or the prefecture shall send the record containing the items proscribed in Law, Article 26, Paragraph 2, of the child to be admitted to the superintendent of the child welfare agency. Provided that, in the case the child is to be admitted to Kyogo-in established by the Nation (National Kyogo-in as will be called hereinafter), the governor of Metropolis, Hokkaido or the prefecture shall secure the approval of superintendent of National Kyogo-in with the reason for admission.

Article 27. The superintendent of the child welfare agency shall notify the governor of Metropolis, Hokkaido or the prefecture through the Child Welfare Center who had made the diagnosis of the child the following immediately:

- a. When an inmate died;

- b. When the release, termination, suspension or a change of the measure is being considered.

Article 28. The governor of Metropolis, Hokkaido or the prefecture may at any time take steps to, terminate, suspend, or change the procedure of Law, Article 27, Paragraph 1, Item c, according to the opinion of the head of Child Welfare Center and the superintendent of the child welfare agency.

Article 29. The superintendent of the child welfare agency shall notify the head of the Child Welfare Center who had made the diagnosis of the child and the mayors of the city, town or village of the child's permanent and established residences, when the child is admitted or discharged under the provision of Law, Article 27, Paragraph 1, Item c.

Article 30. Anyone who wishes to bring up the child without a guardian or with inadequate guardian under the provision of Law, Article 27, Paragraph 1, Item c shall apply to the governor of Metropolis, Hokkaido or the prefecture the Child Welfare Center under whose jurisdiction the area of his residence belongs.

Article 31. The governor of Metropolis, Hokkaido or the prefecture shall enter the name, address, age, history, economic status and any other necessary items for caring the child of the person who has made the application of the preceding Article and with whom he considers as adequate person with the reference to the opinion of the Child Welfare Board, into the foster parent register.

Article 32. The provisions of Articles 25 to 29 (exclusiv of the provision of proviso of Article 26) shall be applied with the case of the foster home care under the provision of Law, Article 27, Paragraph 1, Item c.

Article 33. Besides the provisions of the preceding three Articles, the form of the foster parent register and other necessary matter concerning the foster parent shall be determined by the governor of Metropolis, Hokkaido or the prefecture with the reference to the Local Child Welfare Board.

Article 34. The form of the certificate provided under the provision of Law, Article 29 shall be per the attached table No. 2.

Article 35. In the case the head of the Child Welfare Center has given or ordered to give the temporary shelter under the provision of Law, Article 33, Paragraph 1 or paragraph 2, he shall notify the date the shelter was begun and the place immediately to the child's guardian.

Article 36. At the temporary sheltering home for children, the necessary attentions in regard to the child's age, sex, etc., shall be paid.

The minimum standards provided, under Law, Article 45, for the home for dependent, neglected and abused children, shall be applied with the equipments and operations of facilities for temporary sheltering of the children under Law, Article 17.

Chapter III.

Child Welfare Agencies

Article 37. Anyone who wishes to obtain the approval of Law, Article 35, Paragraph 2, shall apply to the governor of Metropolis, Hokkaido or the prefecture with the following form:

- a. Name, kind of agency, and location;
- b. Scope and structure of the buildings and equipments with its map;
- c. Method of operation;
- d. Budget of income and expenditure;
- e. Expected date to commence the service.

In case those other than city, town or village (inclusive of the special ward as will be the same hereinafter) wish to obtain the approval of Law, article 35, Paragraph 2, they shall apply to the governor of Metropolis, Hokkaido or the prefecture with the following items in addition to the application paper of the preceding Paragraph:

- a. History and the economic status of those who wish to establish;
- b. Articles of the in corporation, the rules for the foundational juridical person and other regulations of an association or a legal body.

Paragraph 1 or 2 is applied in the case a change in any of Paragraph 1, Items a to c inclusive and the preceding Paragraph, Item b is made.

Article 38. In case the person who has established the Child Welfare Agency under the provision of Article 35, Paragraph 2, wishes to terminate the agency, he shall apply to the governor of Metropolis, Hokkaido or the prefecture with the following form:

- a. The reason to terminate the work;
- b. Dispositions of the inmates;
- c. Disposition of the properties.

Article 39. Anyone who wishes to establish facilities for the training of personnel of the child welfare agencies shall secure the approval of Minister of Welfare. It applies when he wishes to terminate the work.

With the approval of the preceding Paragraph, the provisions of Article 37 and 38 shall be applied.

Chapter IV.

The Examination of the Nursery Teacher

Article 40. Anyone who wishes for the examination of the nursery teacher shall fall under any one of the following qualifications:

- a. One who has graduated from a high school under School Education Law, one who has finished the 12 years ordinary course of the school Education (inclusive of one who has finished the equivalent course other than ordinary course) or one who has approved by Minister of Education to be equal to or higher than this.
- b. One who has the experience of the child care in the child welfare agency for over three years;
- c. And others whom Minister of Welfare deems to be an adequate person.

Article 41. The examination of the nursery teacher shall be made on the following subjects:

- a. General social work;
- b. Child psychology;
- c. Principles of health and hygiene, and physiology;
- d. Theory and practice of nursing;
- e. Theory and practice of nutrition;
- f. Theory of child care;
- g. Practice of nursery.

Article 42. The governor of Metropolis, Hokkaido or the prefecture shall give at least one examination of the nursery teachers a year.

Article 43. Anyone who wish for the examination of the nursery teachers shall apply to the governor of Metropolis, Hokkaido or the prefecture with the following application paper with her name, present and permanent addresses:

- a. Personal history;
- b. A copy of her census register;
- c. Written certificate to show that she falls under any one of the Items of Article 40;
- d. Photo.

Article 44. Anyone who has illegally applied for the examination of the nursery or violated the provisions concerning the examination shall be barred or cancelled if passed. Such persons may be barred for examination for period within three years.

Article 45. A chairman shall be elected by the Board of Examination of Nursery Teachers. The chairman of the Board shall manage over all the business of the Board of examination of nursery teachers.

Article 46. There will be clerks not exceeding 5 persons for the business of the Board of Examination of Nursery Teachers.

The clerks take charge of the general affairs of the Board under the direction of their superior officers.

Article 47. Besides the provisions of this Chapter, necessary matters concerning the examination of nursery teachers shall be regulated by the governor of Metropolis, Hokkaido or the prefecture.

Chapter V.

Expenses

Article 48. In case Minister of Welfare, the governor of Metropolis, Hokkaido or the prefecture, or the mayor of the city, town or village should collect the expense under the provision of Law, Article 56, Paragraph 1, he shall designate the amount and date of payment with the full statement of account.

Article 49. In case the child welfare official should give his opinion or certifying to the mayor of city, town or village under the provision of Law, Article 56, the proviso of Paragraph 1 or of Article 8, Paragraph 2, he shall refer to the opinion of the child welfare worker who is in charge of the area of the beneficiary's residence or the place where the latter is.

Article 50. The provision of Law, Article 56, the proviso of Paragraph 2 shall be for the following cases:

- a. When the beneficiary and the spouse, the descendant or ascendant of the same address has not resided at the place for over one year consecutively;
- b. When the child was admitted to the National Child Welfare Agency; and
- c. Besides the above Items, when the governor of Metropolis, Hokkaido or the prefecture consider the case should be remitted.

Supplementary Provisions

Article 51. This regulation shall go into effect from January 1, 1948, except as provided for in the provisions Article 63 of the Law which shall go into effect from April 1, 1948, after which date it shall cover the total provision of the Law.

Article 52. The Enforcement Regulation for Juvenile Training and Education, the Regulation for the Expectant and Nursing Mothers' Handbook and 1933 the Ordinance of Home Ministry, No. 21 (Designation of the kinds of occupations and actions under Article 7 of Law for Prevention of Cruelty to Children) shall be repealed.

Article 53. The Expectant and Nursing Mother's Handbook issued under the provision of Regulation for Expectant and Nursing Mother's Handbook shall be considered same as the Maternal-and-Child Handbook under the provision of Law.

Article 54. The examination of the Nursery Teachers shall be held from 1948.

Article 55. The high school under School Education Law in Article 40, Item a includes the middle school under repealed Middle School Ordinance.

Article 56. The child welfare agencies under the provision of Law, Article 70 shall apply for the approval of the governor of Metropolis, Hokkaido or the prefecture by the provision of Law, Article 35, Paragraph 2, before June 30, 1948.

APPROVED TRANSLATION OF CABINET ORDER FOR ENFORCEMENT OF CHILD WELFARE LAW

Seirei No. 74

31 March 1948

Chapter I. Child Welfare Board

Article 1. The number of Child Welfare Board members shall be as authorized in Article 10 of the Child Welfare Law (hereinafter referred to as the Law) of which public officials shall not exceed one fourth of the total numbers appointed.

Article 2. The tenure of office of the said members, excepting the public officials shall be two years.

In the event of vacancy the tenure of office shall be the time left by his predecessor.

Article 3. The chairman of the Child Welfare Board shall preside over the board and in the case of his absence the board shall appoint an acting chairman.

Article 4. The chairman shall call the Board into session whenever he deems it necessary or at the request of one fourth or more of the Board members.

Article 5. A quorum for a meeting shall be one half of the members of the Board.

A decision shall be made by a majority of those who are present. In case of tie the chairman of the Board shall cast the deciding vote.

Article 6. The Child Welfare Board shall have secretaries not exceeding 8 persons in case of Central and 6 in case of Local who are not the members of the Board, and who shall be appointed by Minister of Welfare or the governor of Metropolis, Hokkaido or the prefecture respectively.

The secretaries will manage the affairs of the Board under the direction of the chairman.

Article 7. Child Welfare Board shall have clerks not exceeding 6 persons in case of Central and 4 in case of Local who are not the members of the Board and who shall be appointed by Minister of Welfare or the governor of Metropolis, Hokkaido, or the prefecture respectively. The clerks work under the direction of his superior officials.

Chapter II. Child Welfare Official and Child Welfare Worker

Article 8. The Child Welfare official shall be the second class clerical or technical official and shall be required to have any one of the following qualifications:

a. One who has been engaged in the care of children and expectant or nursing mothers and service on health or welfare not less than two years.

b. One who has a degree of "Gakuchi" from a department of a university specializing in either psychology, pedagogy or sociology.

c. Physician

d. One who graduated from a training school or a training facility for the Child Welfare Official or Workers for the Child Welfare Agencies designated by the Minister concerned, and

e. Other persons having equal and similar qualification for the Child Welfare Officials.

Article 9. The head of Child Welfare Station will be second class

clerical or technical official and the workers therein will be second or third clerical or technical officials and they shall be the persons with knowledge and experiences in the child care, health and welfare services.

Chapter III. Child Welfare Agencies

Article 10. Metropolis, Hokkaido and the prefecture shall establish a Kyogo-in (Home for juvenile training and education) as prescribed in Article 35, Paragraph 1, of the Law in Metropolis, Hokkaido and each prefecture.

National Kyogo-in shall be established and so designated and shall admit only those who were diagnosed at Child Welfare Station as psychopathic personality or specially delinquent character.

Article 11. Where public welfare institutions or agencies as prescribed in Article 7 of the Law are not adequate or available, mothers and children receiving or requiring public assistance who are in need of institutional care may be placed in private institutions.

Article 12. Child Welfare Agencies and the training facilities for the workers of Child Welfare Agencies established by the Nation, Metropolis, Hokkaido, prefectures, cities, towns or villages (inclusive of special wards as will be the same hereinafter) are placed under the administration of the governor of Metropolis, Hokkaido and prefectures or the mayor of the cities, towns and villages (inclusive of the special ward mayor) respectively as prescribed in Article 49 of the Law.

Article 13. The women designated to take care of the children in child welfare agencies will be called nursery teachers and shall have one of the following qualifications:

a. One who graduated from the training school or a training facility for the nursery teachers designated by the Minister concerned, and

b. One who passed the examination for the nursery teachers.

In each of Metropolis, Hokkaido and the prefectures, a board of examination for the nursery teachers shall be established by each governor under his control for the determination of passage of and the management of all matters pertaining to the examination.

Number of the board members shall be limited within ten persons,

The governor of Metropolis, Hokkaido or the prefecture will appoint the board members out of public officials not to exceed 4 in number and others with knowledge of and experience in the service of child care, health or welfare.

Subject matters of procedure of and any other necessary matters about the examination shall be prescribed by Minister of Welfare.

Chapter IV. Expenses

Article 14. National or prefectural subsidies for the expenses to be borne by the Metropolis, Hokkaido, prefectures, cities, towns or villages are as outlined in Article 50, 51, 52, 53, 54 and 55 of the Law. Those not mentioned in said Articles are as designated in this Chapter.

Article 15. Subsidies of the preceding Article shall be made for the balance which is settled by subtracting the amount collected under the provision of Article 56, paragraph 1 of the Law and the amount of contribution and other incomes from the total amount of expenditure paid out by Metropolis, Hokkaido, prefectures, cities, towns or villages for the fiscal year.

In case the equipment for which subsidy has been made should be used for other additional purposes, the basis of subsidy for the said equipment shall be settled balance of the expenses for what has actually

been utilized for child welfare.

In case the amount to be subtracted under the provision of the preceding two paragraphs should be over the total amount which the Metropolis, Hokkaido, prefectures, cities, towns or villages have borne for the fiscal year, the balance shall be subtracted from the amount of expenditure of coming fiscal year or years.

Article 16. National subsidies prescribed in Article 52 of the Law, shall be one half of the settled balance for the Child Welfare Agencies of the following Item a, one third for those of Item b and prefectural subsidies prescribed in Article 54 of the Law, shall be one fourth of the settled balance for those of Item a, one third for those of Item b.

a. The mothers' home, the day nursery and the home for physically weak children for indigent mothers and children who have no one to pay for their care, as defined in the proviso of Article 56, paragraph 1 of the Law and the home for physically handicapped children, where crippled children are cared.

b. The mothers' home, the day nursery and the homes for physically handicapped children which do not fall under the preceding Item.

Article 17. In such cases prescribed by Article 11 of this Order government funds may be used to reimburse the private institution up to an amount not to exceed those rates established by the government for per capita cost of care.

Article 18. The subsidized money by Nation, Metropolis, Hokkaido and the prefectures under the provisions of the preceding three Articles may be ordered to be returned wholly or in part:

a. In case a Child Welfare Agency should be ordered to terminate its work by the provision of Article 46, paragraph 2 of the Law.

b. In case the certificate of approval for a Child Welfare Agency should be cancelled by the provision of Article 58, paragraph 1 of the Law.

c. In case Child Welfare Station, Child Welfare Agencies or the facilities for the training of personnel of Child Welfare Agencies should violate the Law, Order or the disposition derived from the Law and Order.

d. In case Child Welfare Station, Child Welfare Agency or the facilities for training of personnel of Child Welfare Agencies should terminate the whole or a part of its work or should be utilized for the purpose other than expected at first.

e. In case the condition for subsidy is violated, and

f. In case subsidy was secured by means of fraud.

Supplementary Rule

Article 19. This Cabinet Order shall go into effect from January 1st, 1948 except as provided for in the provision of Article 63 of the Law which shall go into effect from April 1st, 1948, after which date it shall cover the total provisions of the Law.

Article 20. Enforcement Ordinance of Juvenile Training and Education Law and 1933, Imperial Ordinance No. 218 (Matters concerning the expense to be borne under the Law for Prevention of Cruelty to Children and National subsidy), shall be repealed.

Article 21. The department of university in Article 8, Item b of the cabinet order includes the department of university under University Ordinance.

Article 22. At the time this Cabinet Order goes into effect, the women who are taking care of the children in the Child Welfare Agencies may engage in the their work up to December 31st, 1950, despite the provision of Article 13, paragraph 1 of this Cabinet Order, after which date they must comply with the said Article.

MATERNAL AND CHILD HEALTH PROGRAM
19 July 1948

Maternal and Child Health Section
Ministry of Welfare

Policy

Future Japan as a civilized peace loving country shall need to have full security of the health of mothers and children.

With the aim of a great reduction of mortality and morbidity of mothers, infants and preschool children of this country and promotion of children's health and development in view, the basic program is to be established and various necessary facilities will be installed within five years.

1. Health measures for pregnant and nursing mothers are to be carried out with special emphasis on the following items:

a. Reduction of maternal and fetal deaths by means of early diagnosis and treatment of toxemias during pregnancy.

b. Reduction of number of miscarriages, premature and stillbirths by means of early diagnosis and treatment of syphilis in pregnant women.

c. To reduce the maternal deaths and stillbirths due to malposition of fetus and hemorrhage of childbirth by improved obstetrical practices.

d. To prevent tuberculosis of mothers and children by diagnosis of pregnant mothers.

2. Measures for the reduction of infant and child deaths shall be carried out with special emphasis on the following points:

a. To reduce the infant deaths due to such outstanding causes as congenital debility, enteritis and diarrhea, pneumonia and congenital syphilis.

b. To prevent all contagious diseases of childhood.

3. For the improvement of constitutional strength of infants and children, emphasis shall be laid on the following points:

a. To provide standards and nutritional guidance for infants so that the supply of cow's milk and milk products to artificially or mixed fed infants will be sufficient and proper.

b. To provide standards for children's food and its distribution to preschool children in order to give them sufficient amount of protein, fat, calcium, iron and vitamins.

Inclosure #3

Details for Carrying Out

1. Strengthening maternal and child health network.

a. Establishment of Maternal and Child Health Committee.

Maternal and Child Health Committee will be established as a sub-committee of Central Child Welfare Board for the study of permanent plans for decreasing death rates and improving health conditions of pregnant and nursing mothers, infants, and preschool children, and promoting maternal and child health services.

b. Strengthening administrative organization.

Maternal and Child Health Section will be established in every Prefectural Health Bureau, where officials in charge of health for pregnant women, nursing mothers, infants and preschool children and a physician for crippled children shall be staffed.

c. Expansion and adjustment of the network for maternal and child health guidance (to be accomplished in three years).

(1) Expansion of maternal and child health services in each public health center.

(a) Personnel for maternal and child health services.

Following members are to be staffed in each public health center: two second-class technical officials - obstetrician and pediatrician (now being one in number), two third-class clerical officials (now being zero in number, so far as maternal and child health services are concerned), and two midwives in charge of child health guidance (now being two) and two midwives in charge of health guidance for pregnant women and nursing mothers (now being one).

(b) Adjustment of equipment and personnel necessary for visiting services in health centers.

Equipment and personnel readjustments for workable plan shall be made for health centers to carry out visiting services of health examinations and health guidance for pregnant women, infants and preschool children in the given areas.

2. Thoroughgoing health guidance for mothers and children.

a. Thoroughgoing health guidance for pregnant and nursing mothers, infants and preschool children by means of the Maternal and Child Handbooks. For this purpose Maternal and Child Handbooks will be distributed for all infants and preschool children up to six years of age during 1948 and 1949.

b. Compilation of a manual for health guidance of pregnant and nursing mothers, infants and preschool children.

Manual for health guidance of pregnant and nursing mothers, infants and preschool children will be made and health guidance will be carried out as follows:

(1) Pregnant women

Complete medical examinations shall be given twice for a pregnancy -- at an early and a late stage. Any finding at the first examination shall be followed up by monthly or more often examinations by physicians.

In addition to the above, health guidance by midwives once a month during pregnancy shall be encouraged.

(2) Nursing mothers

Besides health guidance by a midwife in the post-partum period, an examination and guidance by physicians shall be given for each nursing mother within two months after delivery.

(3) Infants and preschool children.

(a) Health guidance by visiting nurses shall be given for each infant of less than one month of age.

(b) General Examinations shall be given to all the infants and preschool children twice a year, and any finding shall be followed up by monthly or oftener examinations done by a physician.

(c) For the prevention of special diseases, preventive injections and other necessary measures shall be taken for infants and preschool children.

Methods to carry out.

(1) The health guidances as mentioned above are to be carried out chiefly by public health centers; but, in order to fill in the gaps visiting services as mentioned in paragraph 1, Item a, (b) will take an active part.

(2) Cooperation of private physicians and midwives will be secured in each local community through Medical Association and Midwife Division of the National Association for Midwives, Public Health Nurses and Clinical Nurses, etc.

3. Agencies for Maternal and Child Health (five year program)

a. Lying-in Agencies -- approximately 22,000 beds.

Lying-in agencies with 23,500 beds (out of which total number of existing beds is deducted) in the whole country are planned to be established at the rate of 30 beds for each 100,000 population, so as to meet the need of pregnant women with abnormal delivery (20 percent) and those who are in need of public aid (11 percent), (total estimated number of these pregnant women are 730,000).

b. Infant homes - approximately 25,000 beds.

Infant homes with 26,500 beds (out of which total number of existing beds is deducted) in the whole country are planned to be established, at the rate of 35 beds for each 100,000 population, so as to meet the need of the infants in need of special care with medical, social or economical reason.

c. Homes for weak children- approximately 18,600 beds.

Homes for weak children with 22,000 beds (out of which total number of existing beds is deducted) in the whole country. A home with 100 beds at least shall be established in each prefecture.

d. Homes for crippled children - approximately 11,000 beds.

Homes for crippled children with 11,700 beds (out of which total number of existing beds is deducted) in the whole country are planned to be established, at the rate of 15 beds for each 100,000 population, so as to meet the need of crippled children in need of special care.

4. Measures for the improved nutrition of pregnant and nursing mothers and infants and children.

These measures aim at the promotion of secretion of breast milk, the reduction of infant and child death caused by gastric disturbances and the promotion of development by better nutrition.

a. Establishment of the committee for the nutrition of mothers and children.

Adequate supply of protein, fat and calcium for pregnant and nursing mothers shall be planned and carried out and discussions on the plan for the problems of the production, quality and distribution of food for infants and children shall be made.

b. Perfect rationing of cow's milk products for artificially and mixed fed infants.

c. To bring up the rationing of food for the infants at weaning period (6 - 12 months after birth) adequate in kind and quantity.

d. To provide a complete supply of protein, fat, calcium and vitamins for preschool children.

5. Improvement of maternal and child health technique.

For the purpose of improving the maternal and child health technique, the following training courses will be given for the workers concerned;

a. Health administration officials (central and prefectural).

- (1) Central - (a) Training courses for prefectural officials in charge of maternal and child health. One week course in Tokyo (in the fiscal year of 1948).

Central - (b) Training course for health center officials in charge of maternal and child health. In each block, one week course (in the fiscal year of 1948).

- (2) Prefectural- (a) Training courses for the workers concerned with maternal and child health, such as private physicians and midwives. In each prefecture (these courses are to be consigned with the National Association of Midwives, P.H.N. and Clinical Nurses) (In the fiscal year of 1949).

(a) Training courses for child welfare workers and others concerned in each prefecture. (The course will be consigned with Minsei-iin Association) (In the fiscal year of 1949).

b. Technical officials concerning maternal and child health service in health centers.

- (1) Training courses for the physicians in charge of maternal and child health service in health centers.

Training courses of special technique are to be given. Three-month course for maternal health and three-month for child health.

- (2) Training courses for the public health nurses and midwives in charge of maternal and child health services. Three-month course for each.

The training courses mentioned in 5b are to be consigned with the Aiku-Kai, and are to be completed in three years after 1949.

6. Diffusion of maternal and child health thoughts.

a. Maternal and child health care.

A car loaded with educational materials for maternal and child health is planned to go around in each village or town.

The whole country is to be divided into eight blocks; one car is allotted for each block.

Motion pictures and lantern slides.

b. Production of motion pictures and lantern slides for maternal and child health.

c. Radio and press, etc.

Maternal and child health education through radio and papers in central and local districts.

d. Printed materials for health guidance.

Printed materials for the education of maternal and child health such as advice cards for babies in weaning period, and other leaflets, pamphlets and posters are to be distributed through health centers, schools and women's organizations.

8. Public Health measures for the special problems of mothers and children to be considered.

In order to take necessary steps for the prefectures with high mortality like Aomori and ten other prefectures, investigations on the actual conditions will be made and measures necessary will be acted upon.